United Nations S/AC.44/2004/(02)/101/Add.1

Security Council

Distr.: General
9 January 2006

Original: English

Security Council Committee established pursuant to resolution 1540 (2004)

Note verbale dated 28 December 2005 from the Permanent Mission of Tajikistan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the Republic of Tajikistan to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and has the honour to submit additional information to our national report (see annex).

06-20827 (E) 240106 300106

Annex to the note verbale dated 28 December 2005 from the Permanent Mission of Tajikistan to the United Nations addressed to the Chairman of the Committee

[Original: Russian]

Information on individual items in the matrix provided by the Committee established pursuant to Security Council resolution 1540 (2004)

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b) and (c), and OP 10

Item 4 of the matrix: The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction was ratified by Decision No. 1271 of the Assembly of Representatives of the Parliament (Majlisi Oli) of the Republic of Tajikistan of 8 December 2004. It entered into force for Tajikistan on 27 June 2005.

Item 5: The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction was ratified by Decision No. 929 of the Assembly of Representatives of the Parliament of the Republic of Tajikistan of 28 December 1993. It entered into force for Tajikistan on 11 April 1997.

Item 6: The instrument on the ratification by Tajikistan of the Treaty on the Non-Proliferation of Nuclear Weapons was deposited on 17 January 2005.

Item 7: The Comprehensive Nuclear-Test-Ban Treaty was ratified by Decision No. 594 of the Assembly of Representatives of the Parliament of the Republic of Tajikistan of 21 May 1998.

Item 8: Tajikistan acceded to the Convention on the Physical Protection of Nuclear Material through a decision by the Assembly of Representatives of the Parliament of the Republic of Tajikistan in 1995. It entered into force for Tajikistan on 3 March 1996.

Item 9: The Republic of Tajikistan acceded to The Hague Code of Conduct in 2001.

Item 11: Tajikistan has been an IAEA member since 1 November 2001. The Agreement between Tajikistan and IAEA on the Application of Safeguards pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons of 2 July 2003 (Vienna) was ratified on 25 November 2004. The Additional Protocol to the Agreement between Tajikistan and IAEA on the Application of Safeguards pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons of 2 July 2003 (Vienna) was ratified on 25 November 2004.

Item 13: The Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects entered into force for the Republic of Tajikistan on 23 September 1999.

Item 14: the Agreement between the States Members of the Commonwealth of Independent States on Chemical Weapons of 15 May 1992 (Tashkent); the Agreement between the States Members of the Commonwealth of Independent

States on Coordination of Work on the Export Control of Raw Materials, Materials, Equipment, Technology and Services Which Can Be Used to Create Weapons of Mass Destruction and Their Missile Delivery Systems of 26 June 1992; the Agreement on a Single Procedure for Export Control by the States Members of the Eurasian Economic Community of 28 October 2003 (Moscow).

Item 15. The Act of the Republic of Tajikistan on State control over the export of weapons, military equipment and dual-use goods of 13 December 1997; the Decision of the Government of the Republic of Tajikistan on the approval of the regulations for the procedure for monitoring the export from the Republic of Tajikistan of chemicals, equipment and technology which have peaceful purposes but can be used to create chemical weapons, of 12 January 1996.

OP 2 — Biological Weapons (BW), Chemical Weapons (CW), and Nuclear Weapons (NW)

Questions relating to penalties for production and manufacture are governed by article 397 of the Criminal Code of the Republic of Tajikistan.

Questions concerning penalties for acquisition, possession, stockpiling, storage and transfer are governed by articles 195 and 397 of the Criminal Code.

Questions relating to penalties for transport are governed by articles 195, 289 and 397 of the Criminal Code.

OP 3 (a) and (b) — Account for/Secure/Physically protect BW, CW and NW, including Related Materials

The questions referred to in the matrix are governed by the following acts of the Republic of Tajikistan:

- Act No. 88 of 1 March 2005 on biological security, Act No. 53 of 15 July 2004 on protection of the population and territory against natural and man-made disasters;
- Act No. 6 of 28 February 2004 on civil defence;
- Act No. 242 of 23 April 2002 on State secrecy;
- Act No. 845 of 16 November 1999 on combating terrorism;
- Act No. 521 of 13 December 1997 on State control of the export of weapons, military technology and dual-use goods;
- Act No. 232 of 1 February 1996 on weapons;
- Act No. 228 of 1 February 1996 on the protection of atmospheric air;
- Act No. 69 of 9 December 2004 on the use of atomic energy;
- Act No. 42 of 1 August 2003 on radiation security;
- Act No. 732 of 13 November 1998 on defence;
- Act No. 37 of 17 May 2004 on the licencing of certain types of activities.

Questions concerning appropriate border controls to detect, deter, prevent and combat the illicit trafficking and brokering in nuclear, chemical and biological weapons and their means of delivery, including related materials, and questions relating to criminal and civil penalties for violations of export control laws and regulations are provided for in Ministry of State Revenue and Duties Order No. 110 of 18 September 2001.

A plan of measures for carrying out a "second line of defence" system, which provides for the introduction of new advanced technologies and methods for organizing customs procedures taking into account IAEA requirements, is governed by Ministry of State Revenue and Duties Order No. 166 of 20 December 2001 on the implementation of the "second line of defence" programme.

In addition, the Republic of Tajikistan is a party to the following anti-terrorist conventions:

1. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (7 March 2001);

2. International Convention for the Suppression of Terrorist Bombings (28 August 2002);

3. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (3 November 1993);

4. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (30 March 1996);

5. Convention on Offences and Certain Other Acts Committed on Board Aircraft and for Other Purposes (18 June 1996);

6. Convention for the Suppression of the Unlawful Seizure of Aircraft (30 March 1996);

7. Convention on the Physical Protection of Nuclear Material (30 March 1996);

8. International Convention against the Taking of Hostages (18 August 2004);

9. International Convention for the Suppression of the Financing of Terrorism (15 August 2004);

10. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (13 October 2004-date of ratification);

11. Convention on the Marking of Plastic Explosives for the Purposes of Detection (13 October 2004-date of ratification);

12. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (13 October 2004-date of ratification);

13. Convention for the Suppression of Acts of Nuclear Terrorism (signed on 14 September 2005).

In the field of disarmament:

1. Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

(*The Republic of Tajikistan ratified this Convention on 23 September 1999.*)